IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 25717 of 1998

Between:

B. Devender S/o Lakshmipathi
R/o 6-26-83, New Gunj Road,
Nizamabad Nizamabad District

..... PETITIONER

AND

The Regional Transport Officer
Nizamabad, Nizamabad Dist.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of direction especially one in the nature of Writ of Mandamus declaring the action of the respondent in not permitting the petitioner herein to carry the gross vehicle weight of 8770kgs. in their vehicle is illegal arbitrary and further direct the respondent herein to permit the petitioner to carry the gross vehicle weight of 8770 kgs. in respect of his good vehicle bearing No.AP 25-3961 by entering the same in the Registration certificates of the petitioner vehicle.

Counsel for the Petitioner: MR.CH.JANARDHAN REDDY

Counsel for the Respondent: GP FOR TRANSPORT

The Court made the following:

ORDER:

This writ petition is filed seeking a writ of Mandamus to declare the

action of the respondent-Secretary, Regional Transport Authority, in not permitting the petitioners to carry Gross Vehicle weight of 8,700 kgs in their vehicles as illegal and arbitrary and consequently, to direct the respondents to permit the petitioners to carry the said weight in their goods vehicles.

When the matter is taken up for hearing, it is submitted by the learned counsel appearing for the petitioners and conceded by the learned Government Pleader for Transport appearing for the respondent that the issue involved in this writ petition is squarely covered by the judgment of the Apex Court in **N.Venkateswara Rao Vs. S.T.A.**, wherein the Apex Court has elaborately discussed the matter and dismissed the writ appeals and W.P.No.6211 of 1990 and batch.

Accordingly, following the judgment of the Apex Court, this writ petition is also dismissed for similar reasons. No order as to costs.

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08.04.2005

dr/tvk

To

1 The Regional Transport Officer
Nizamabad, Nizamabad Dist.

2 2 CCs to Government Pleader for Transport,

High Court Buildings, Hyderabad. (OUT)

3 2 CD copies